



General Assembly

Amendment

January Session, 2011

LCO No. 8119

HB0646008119HR0

Offered by:

REP. SAMPSON, 80th Dist.

SEN. MARKLEY, 16th Dist.

To: Subst. House Bill No. **6460**

File No. 490

Cal. No. 289

"AN ACT CONCERNING PUBLIC ACCESS CHANNELS."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 16-331ff of the general statutes is repealed and
4 the following is substituted in lieu thereof (*Effective July 1, 2011*):

5 (a) Any third-party nonprofit community access provider [serving
6 six municipalities, one of which has a population of more than one
7 hundred thirty thousand,] shall, upon request from any town
8 organization, authority, body or official within its service territory,
9 provide written consent, pursuant to its service provider agreements,
10 for said town organization, authority, body or official to (1) operate
11 education and government public access channels in that town, and (2)
12 engage freely and directly [the community antenna television] any
13 company [providing] licensed to provide services in that town to use
14 their headend equipment for dissemination of town-specific
15 community access programming on such channels. [Said] Such third-

16 party nonprofit community access provider [must] shall grant such
17 written consent to said requesting town organization, authority, body
18 or official within three business days. Written consent not provided
19 within three business days shall be deemed granted.

20 (b) If a third-party nonprofit provider fails to provide written
21 consent within three days, pursuant to subsection (a) of this section,
22 the Department of Public Utility Control shall, upon a request from a
23 town organization, authority, body or official within the service
24 territory of [that third-party nonprofit community access] such
25 provider, [serving six municipalities, one of which has a population of
26 more than one hundred thirty thousand,] (1) terminate, revoke or
27 rescind such [third party] third-party nonprofit provider's service
28 agreement to provide public access programming within one hundred
29 eighty days, and (2) reopen the application process to secure a
30 community access provider for each of the towns within the affected
31 service territory.

32 Sec. 2. Section 16-331gg of the general statutes is repealed and the
33 following is substituted in lieu thereof (*Effective July 1, 2011, and*
34 *applicable to calendar years commencing on and after January 1, 2012*):

35 (a) A community antenna television company, a certified
36 competitive video service provider that was providing service as a
37 community antenna television company pursuant to section 16-331 on
38 October 1, 2007, or a holder of a certificate of cable franchise authority
39 that provides services within a service territory of a third-party
40 nonprofit community access provider [that serves six municipalities,
41 one of which has a population of more than one hundred thirty
42 thousand,] shall annually direct [the] a sum [of one hundred thousand
43 dollars per year from] equivalent to twenty per cent of the amount of
44 the funds collected from subscribers in [said] such service territory that
45 it provides to [the existing third-party nonprofit community access]
46 such provider [serving six municipalities, one of which has a
47 population of more than one hundred thirty thousand,] directly to the
48 service territory's community antenna television advisory council for

49 developing town-specific education and government community
50 access programming. Such sum shall be directed annually in two equal
51 disbursements, one of which shall be on or before March first and one
52 of which shall be on or before June first.

53 (b) A community antenna television advisory council that receives
54 funds pursuant to subsection (a) of this section shall distribute [said]
55 such funds in their entirety to a town organization, authority, body or
56 official in the service territory of [a third-party nonprofit community
57 access provider serving six municipalities, one of which has a
58 population of more than one hundred thirty thousand] such provider,
59 to support the development of production and programming
60 capabilities for town-specific education and government public access
61 programming, pursuant to grant procedures and processes established
62 by said council.

63 (c) Any community antenna television advisory council that
64 receives funds pursuant to subsection (a) of this section shall report
65 annually to the Department of Public Utility Control all completed or
66 planned disbursements of funds and certify that [said] such funds
67 were spent in their entirety and used for the public good in the
68 creation, production and development of town-specific education and
69 government public access programming for at least one of the towns in
70 its service territory.

71 Sec. 3. (NEW) (*Effective from passage*) Any community antenna
72 television company or nonprofit organization providing community
73 access operations that supplied original programming from locally run
74 operations and provided funding to town-specific programming on
75 January 1, 2008, shall continue to fund town-specific programming in
76 such proportions to funding for original programming from locally
77 run operations as of January 1, 2008.

78 Sec. 4. (NEW) (*Effective July 1, 2011*) Any company or nonprofit
79 organization responsible for community access operations that
80 receives funds pursuant to subsection (k) of section 16-331a of the

81 general statutes may use such funds for the creation and development,
82 including, but not limited to, labor and staff expenses, of town-specific
83 community access programming."

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| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>July 1, 2011</i> | 16-331ff |
| Sec. 2 | <i>July 1, 2011, and applicable to calendar years commencing on and after January 1, 2012</i> | 16-331gg |
| Sec. 3 | <i>from passage</i> | New section |
| Sec. 4 | <i>July 1, 2011</i> | New section |